

## REMARKS

Claims 1-20 are pending in the application. In the Office Action dated September 18, 2003, the Examiner rejected claims 1, 4, 9, 12, 13, 14, 15, 17, and 20 under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 5,987,506 to Carter et al. ("Carter"); rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Carter in view of PCT International Publication No. WO 98/57464 to Gilbrech ("Gilbrech"); rejected claims 7, 8, 10, and 18 under 35 U.S.C. §103(a) as being unpatentable over Carter in view of U.S. Pat. No. 5,335,346 to Fabbio ("Fabbio"); rejected claims 3, 11, 16, and 19 under 35 U.S.C. §103(a) as being unpatentable over Carter in view of U.S. Pat. No. 5,519,833 to Argranat et al. ("Argranat"); rejected claim 5 under 35 U.S.C. §103(a) as being unpatentable over Carter in view of U.S. Pat. No. 5,220,604 to Gasser et al. ("Gasser"); and rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over Carter and Gasser and further in view of U.S. Pat. No. 4,825,354 to Agrawal et al. ("Agrawal").

### Rejections under 35 U.S.C. §102(e)

Applicants respectfully traverse the §102(e) rejection of claims 1, 4, 9, 12, 13, 14, 15, 17, and 20 because the Examiner failed to establish a *prima facie* case of anticipation under §102(e). In order to properly anticipate Applicants' claimed invention under 35 U.S.C. §102(e), each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. §2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed.

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Cir. 1989). Finally, “[t]he elements must be arranged as required by the claim.”

M.P.E.P. §2131 (8<sup>th</sup> ed. 2001), p. 2100-69.

Claim 1 recites a combination of elements, including, for example “an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*,” (emphasis added).

The Examiner states that Carter discloses “an access control list, which contains security access parameters that control file system access.” (See Office Action, page 3, lines 1-2.) Specifically, Carter discloses every file in the file system has an Access Control List (ACL) stream; wherein the ACL stream is used to store security sets corresponding to the file (col. 11, lines 57-61). A user with sufficient privilege on file can set up an ACL by modifying *a security property sheet associated with the file* (col. 41, lines 25-32) (emphasis added). In other words, the security attributes of the file are associated with the file itself. However, this does not constitute “restrict[ing] access to the first file system entity to *the nodes communicating over the first channel*” (emphasis added) as required by claim 1.

Accordingly, because Carter fails to disclose at least this element of claim 1, Carter cannot anticipate claim 1. Applicants therefore respectfully request the Examiner to withdraw the §102(e) rejection. Claim 4 depends from allowable claim 1 and is also allowable at least by virtue of its dependency.

Claim 9 recites a combination of steps, including, for example, “determining whether the node *communicates over the authorized channel*,” (emphasis added).

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The Examiner asserts that Carter discloses "an access control list, which contains security access parameters that control file system access *pertaining to which particular network the node operates on*" (See Office Action page 3, lines 16-18) (emphasis added). Applicants respectfully disagree with the Examiner's interpretation of Carter and submit this is not what Carter teaches. Carter discloses that the ACL stream is used to store the security Access Control List sets on the file (col. 11, lines 60-61), and these permissions are set on a user basis (col. 41, lines 29-31), not *pertaining to which particular network the node operates on*, as asserted by the Examiner. Thus, Carter fails to teach at least "determining whether the node communicates over the authorized channel," as recited in claim 9.

Accordingly, because Carter fails to disclose all of the features of claim 9, it is not anticipated. Applicants therefore respectfully request the Examiner to withdraw this §102(e) rejection. Claim 12 depends from allowable claim 9 and is also allowable at least by virtue of its dependency.

Independent claims 13-15, and 17 include recitations similar to claim 9, and are allowably at least for the reasons provided above for allowable claim 9. Claim 20 depends from claim 17 and is allowable for at least the reasons presented for claim 20.

#### **Rejections under 35 U.S.C. §103(a)**

Claim 2 was rejected under §103(a) as being unpatentable over Carter in view of Gilbrech. Applicant submits the Examiner has failed to establish a *prima facie* case of obviousness. In order to maintain a valid §103(a) rejection, each of three requirements must be met. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. (See M.P.E.P. §2143.03 (8<sup>th</sup>

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ed. 2001).) Second, there must be some suggestion or motivation, either in the reference(s) themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must "be found in the prior art, and not be based on Applicant's disclosure." (M.P.E.P. § 2143 (8<sup>th</sup> ed. 2001).)

Claim 2, by virtue of its dependency from claim 1, includes all of the features recited therein. Accordingly, as presented above for claim 1, Carter fails to teach or suggest at least "an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*," (emphasis added) as required by claim 2.

Gilbrech fails to cure the shortcoming of Carter in this regard. In particular, Gilbrech fails to teach, for example, "an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*," (emphasis added) as required by claim 2.

Accordingly, because Carter and Gilbrech, either separately or in combination, fail to teach all of the features required by claim 2, claim 2 is not obvious from these references. Applicants respectfully request the Examiner to withdraw the §103(a) rejection of claim 2.

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Claims 7, 8, 10, and 18 were rejected under §103(a) as being unpatentable over Carter in view of Fabbio.

Claims 7 and 8, by virtue of their dependency from claim 1, include all of the features recited therein. Accordingly, as presented above for claim 1, Carter fails to teach or suggest at least "an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*," (emphasis added) as required by claims 7 and 8.

Fabbio fails to cure the deficiencies of Carter in this regard. In particular, Fabbio fails to teach, for example, "an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*," (emphasis added) as required by claims 7 and 8.

Accordingly, because Carter and Fabbio, either separately or in combination, fail to teach all of the features required by claims 7 and 8, claims 7 and 8 are not obvious from these references. Applicants respectfully request the Examiner to withdraw the §103(a) rejections of claims 7 and 8.

Claim 10, by virtue of its dependency from claim 9, includes all of the features recited therein. Accordingly, as presented above for claim 9, Carter fails to teach or suggest at least "determining whether the node *communicates over the authorized channel*," (emphasis added) as required by claim 9.

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Fabbio fails to cure the deficiencies of Carter in this regard. In particular, Fabbio fails to teach, for example, "determining whether the node *communicates over the authorized channel*," (emphasis added) as required by claim 9.

Accordingly, because Carter and Fabbio, either separately or in combination, fail to teach all of the features required by claim 10, claim 10 is not obvious from these references. Applicants therefore respectfully request the Examiner to withdraw the §103(a) rejection of claim 10.

Claim 18 depends from allowable claim 17, and as such includes all of the features recited therein. Because claim 17 includes recitations similar to those required by claim 10, the arguments for the allowability of claim 18 parallel those presented above for claim 10. Accordingly, Applicants respectfully request the Examiner withdraw the §103(a) rejection of claim 18.

Claims 3, 11, 16 and 19 were rejected under §103(a) as being obvious over Carter in view of Argranat.

Claim 3, by virtue of its dependency from claim 1, includes all of the features recited therein. Accordingly, as presented above for claim 1, Carter fails to teach or suggest at least "an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*," (emphasis added) as required by claim 3.

Argranat fails to cure the shortcoming of Carter in this regard. In particular, Argranat fails to teach, for example, "an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that

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*restricts access to the second file system entity to the nodes communicating over the second channel,"* (emphasis added) as required by claim 3.

Accordingly, because Carter and Argranat, either separately or in combination, fail to teach all of the features required by claim 3, claim 3 is not obvious from these references. Applicants respectfully request the Examiner to withdraw the §103(a) rejection of claim 3.

Claim 11, by virtue of its dependency from claim 9, includes all of the features recited therein. Accordingly, as presented above for claim 9, Carter fails to teach or suggest at least "determining whether the node *communicates over the authorized channel*," (emphasis added) as required by claim 11.

Argranat fails to cure the deficiencies of Carter in this regard. In particular, Argranat fails to teach, for example, "determining whether the node *communicates over the authorized channel*," (emphasis added) as required by claim 11.

Accordingly, because Carter and Argranat, either separately or in combination, fail to teach all of the features required by claim 11, it is not obvious from these references. Applicants respectfully request the Examiner to withdraw the §103(a) rejection of claim 11.

Claims 16 and 19 depend from allowable claims 15 and 17, respectively, and as such includes all of the features recited therein. Because claims 15 and 17 include recitations similar to those required by claim 11, the arguments for the allowability of claims 16 and 19 parallel those presented above for claim 11. Accordingly, Applicants respectfully request the Examiner withdraw the §103(a) rejection of claims 16 and 19.

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Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Carter in view of Gasser.

Claim 5, by virtue of its dependency from claim 1, includes all of the features recited therein. Accordingly, as presented above for claim 1, Carter fails to teach or suggest at least “an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*,” (emphasis added) as required by claim 5.

Gasser fails to cure the deficiencies of Carter in this regard. In particular, Gasser fails to teach, for example, “an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel* and that *restricts access to the second file system entity to the nodes communicating over the second channel*,” (emphasis added) as required by claim 5.

Accordingly, because Carter and Gasser, either separately or in combination, fail to teach all of the features required by claim 5, claim 5 is not obvious from these references. Applicants therefore respectfully request the Examiner to withdraw the §103(a) rejection of claim 5.

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Carter and Gasser, and further in view of Agrawal.

Claim 6, by virtue of its dependency from claim 5, includes all of the features recited therein. Accordingly, as presented above for claim 5, Carter and Gasser fail to teach or suggest, either separately or in combination, at least “an operating system that *restricts access to the first file system entity to the nodes communicating over the first*



*channel and that restricts access to the second file system entity to the nodes communicating over the second channel,"* (emphasis added) as required by claim 6.

Agrawal fails to cure the deficiencies of Carter and Gasser in this regard. In particular, Agrawal fails to teach, for example, "an operating system that *restricts access to the first file system entity to the nodes communicating over the first channel and that restricts access to the second file system entity to the nodes communicating over the second channel,*" (emphasis added) as required by claim 6.

Accordingly, because Carter, Gasser, and Agrawal, either separately or in any combination, fail to teach all of the features required by claim 6, claim 6 is not obvious from these references. Applicants therefore respectfully request the Examiner to withdraw the §103(a) rejection of claim 6.


In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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